

IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ARMENIA

ON THE CASE CONCERNING THE CONSTITUTIONALITY OF PART 6 OF ARTICLE 94 OF THE CONSTITUTIONAL LAW OF THE REPUBLIC OF ARMENIA “ON THE JUDICIAL CODE”, RAISED BY THE APPLICATION OF ARTUR STEPANYAN

Based on the results of an examination of the Case and guided by point 1 of Article 168, point 8 of part 1 of Article 169, parts 4-5 of Article 170 of the Constitution, as well as Articles 63, 64, and 69 of the Constitutional Law “On the Constitutional Court”, the Constitutional Court **DECIDED:**

1. To declare the first sentence of part 6 of Article 94 of the Constitutional Law of the Republic of Armenia “On the Judicial Code” contradicting Article 49 in conjunction with Article 75, part 1 of Article 164, parts 1-3 of Article 174, point 7 of part 1 of Article 175, and part 2 of Article 175 of the Constitution, and void insofar as it provides for a regulation for adopting decisions by the Supreme Judicial Council on imposed termination of powers of a judge on the ground of an essential disciplinary violation when imposing disciplinary action against the latter, under which conditions the decision can be adopted by half of votes of the total number of votes of the members of the Supreme Judicial Council, that is, by five votes cast in favour.

2. Taking into account the need for the inviolability of legal security, in accordance with part 3 of Article 170 of the Constitution, as well as point 4 of part 9 of Article 68, part 19 of Article 68, and part 13 of Article 69 of the Constitutional Law “On the Constitutional Court”, the deadline for invalidating the provision of the Constitutional Law of the Republic of Armenia “On the Judicial Code” declared as contradicting the Constitution by point 1 of the final part of this Decision of the Constitutional Court – in part of the legislative regulation prescribed therein – shall be 1 July 2025, thus enabling the National Assembly to reconcile it with this Decision.

3. According to part 2 of Article 170 of the Constitution, this Decision shall be final and enter into force upon its promulgation.

PRESIDING JUDGE

A. DILANYAN

22 April 2025

DCC-1780